

Position of the [ERM Coalition](#) on the Proposal for a [Regulation of the European Parliament and of the Council on the Sustainable Use of plant protection products \(SUR\)](#)

ERM Coalition of drinking water suppliers' associations represent 170 water suppliers and 188 million people that depend on clean drinking water in the river basins of Rhine ([IAWR](#), [AWBR](#), [ARW](#), [RIWA-Rijn](#)) and Ruhr ([AWWR](#)), Danube ([IAWD](#)), Elbe ([AWE](#)), Meuse ([RIWA-Meuse](#)) and Scheldt ([RIWA-Scheldt](#)).

Effective protection of drinking water resources is essential for public health and future well-being of EU citizens. **A sustainable supply of clean drinking water requires a short-term ban on chemically synthesized plant protection products/pesticides in water protection areas in the Regulation on the sustainable use of plant protection products (SUR).** Only by doing this, the high quality of drinking water can be maintained. At the same time, natural pesticides that are permitted in organic farming should continue to be allowed, because a sustainable drinking water supply needs a switch to organic farming and sustainable agriculture in water protection areas.

The position takes into account the following:

- In a [News article](#) of July 2022, the German Environment Agency (UBA) pointed out that, **even with “Codes of Good Practice”, conventional agriculture now leads to contamination of drinking water resources by degradation products (metabolites) of chemically synthesized pesticides/plant protection products. Pesticide authorisation procedures no longer offer sufficient protection.** The main reason behind this are successful lawsuits by producers against pesticide use restrictions in Germany, which despite being based on the latest scientific findings, had to be cancelled by court order. Comparable lawsuits are also possible in the other EU member states.
- The [European Union’s primary law \(Art. 191 \(2\) TFEU\)](#) requires **rectifying environmental damage at the source of the pollution** which in this context is the application of pesticides/plant protection products.
- Additional requirements for a SUR ratification result from the severe, ongoing [lack of implementation of the WFD](#) and its provisions to i) prevent deterioration of the chemical status of all bodies of groundwater used for the abstraction of drinking water (Art. 4.1) and ii) **to reduce the level of purification treatment in waterworks** (Art. 7.3). However, the European Parliament in its [resolution](#) of 12 February 2019 (P8_TA(2019)0082) on the implementation of the SUD – correctly – *„regrets the fact that the deterioration of water resources has increasingly led to additional treatment by drinking water operators in order to ensure that water intended for human consumption complies with the pesticides limits as enshrined in Council Directive 98/83/EC on the quality of water intended for human consumption, with the costs being borne by consumers, not polluters;“* (Nr. 29). Costs being borne by consumers is not in line with [EU’s primary law \(Art. 191 \(2\) TFEU\)](#) enshrining that the polluter should pay. The European Parliament furthermore recommends that use of agro-chemical substances *„be prohibited in soils potentially draining into groundwater“* (Nr. 65). European Primary Law requires that costs arising from the installation and operation of



additional treatment technology to remove pesticide degradation products must be borne by the polluters ("polluter pays").

- The [revised Drinking Water Directive](#) (2020/2184) of the European Parliament and of the Council requires the supervising authorities, in cooperation with the drinking water suppliers, to carry out an appropriate risk assessment and risk management. **But the required risk management cannot be done by them due to a lack of authority. It can only be done by the regulator – the AGRIFISH Council and the European Parliament – in the current SUD revision.** It's the regulator's duty to ensure the protection of public health, the environment and a supply of clean drinking water by agreeing to a pesticide ban in water protection areas. It's the regulator's responsibility to enable waterworks to comply with the limit values for pesticides (metabolites) included in the revised Drinking Water Directive.
- **Considering the financial, regulatory and especially the technical constraints, there are limits set to any further orientation towards removal of pesticide inputs by waterworks.**
- The European Citizens' Initiative "[Save Bees and Farmers](#)" was officially declared successful on 10.10.2022. The EU Commission is thus called upon by 1.1 million EU citizens to submit a legislative proposal that provides for an even more far-reaching pesticide reduction than the Commission's SUR proposal. Member States are called upon to allocate a budget to support farmers in their transition to sustainable farming without chemically synthesized pesticides/plant protection products.
- The current generation is not allowed to deprive future generations of intact drinking water resources. Already today, the protection of their drinking water is an urgent concern of the population, cf. European Citizens' Initiative (ECI) "Save Bees and Farmers". The official hearing in the European Parliament took place on 24.01.2023.



RIWA-Rijn



IAWD



AWWR
Aktiv für ihr Wasser aus dem Ruhrtal



RIWA-Meuse



RIWA-Scheldt

Further positions and press release:

SUR [Feedback](#) of the ERM Coalition of 18.07.2022

SUR [Press Release](#) of the ERM Coalition of 08.12.2022

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